



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 1  
1 CONGRESS STREET, SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

**BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

IN THE MATTER OF:

General Color  
Bridge Street  
Minerva, OH 44657

)  
) **TOXIC SUBSTANCES CONTROL ACT**  
) **SUBPOENA**  
)  
)  
)

Attn: Earl Breeze, Technical Manager

Re: Red Pigments (PV Fast Red 3B and PV Fast Red BNP) Purchased from Clariant of Coventry, Rhode Island

By this subpoena, EPA is requiring you to submit information concerning Red Pigments (PV Fast Red 3B and PV Fast Red BNP) you received from Clariant Corporation of Coventry, Rhode Island ("Clariant"), that may have contained PCBs. Section 11(c) of TSCA, 15 U.S.C. § 2610(c), authorizes EPA to issue subpoenas requiring the submission of information on chemical substances such as PCBs.

Unless otherwise stated in any of the following numbered paragraphs, the "Facility" means your facility at Bridge Street, in Minerva, Ohio. Any reference to the "Products" constitutes a reference to the Red Pigments in question. Any reference to a "Facility Product" constitutes a reference to any product your facility manufactures, distributes or sells incorporating the Products. Each of the following information requests covers the shipments of Products made by Clariant on August 30, 2002, October 2, 2002, and February 20, 2003 to your Facility. You are required to provide the following information within thirty (30) calendar days from the date of receipt of this subpoena:

1. If your Facility processes the Products, including but not limited to repackaging, batching or blending, provide a description of the processing. If the processing includes batching or blending of the Products, the description should include the batching and/or blending ratios and any PCB analytical data associated with this processing.
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3. A list of your customers who received the Products or any Facility Product. For each customer, provide the following information: the customer name, address, point of contact,

phone number, and quantities and dates sold. For any Products or Facility Product sold and recovered from your customers, provide the quantities and dates recovered.

Submit all information required above to the following address:

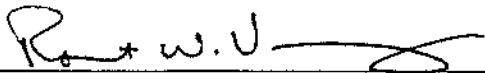
U.S. Environmental Protection Agency  
Office of Environmental Stewardship  
One Congress Street, Suite 1100 (Mail Code SEP)  
Boston, MA 02114-2023  
Attention: Marianne Milette, PCB Enforcement Coordinator

Please be aware that if you do not provide the requested information or explain in writing why you cannot provide the requested information in the time allowed, EPA may seek a court order requiring you to comply and may assess monetary penalties under Section 16 of TSCA. Federal law also establishes criminal penalties for falsifying information provided to EPA. If you wish to claim some or all of the information you submit as confidential, you must follow the procedures described in EPA's regulations at 40 C.F.R. Part 2, Subpart B. Any information that is not claimed as confidential may be released to the public under the Freedom of Information Act without further notice to you.

This subpoena is not subject to the Paperwork Reduction Act.

EPA Contacts

For any technical questions regarding this subpoena, you should contact either Marianne Milette at (617) 918-1854 or Kimberly Tisa at (617) 918-1527. For legal matters, have your attorney contact Thomas Olivier, Senior Enforcement Counsel, at (617) 918-1737.



Robert Varney, Regional Administrator  
U.S. Environmental Protection Agency  
Region I - New England

Date: January 23, 2004

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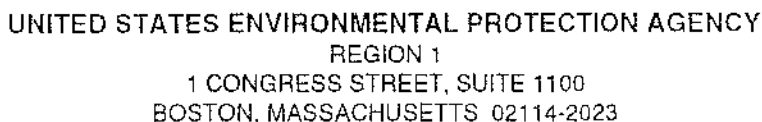
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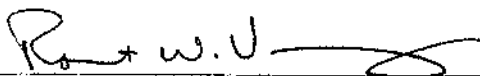
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Robert Varney, Regional Administrator  
U.S. Environmental Protection Agency  
Region I - New England

Date: January 23, 2004



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REGION 1

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CONCURRENCES							
SYMBOL	SEP	SEP	DEC	DEC	V		
SURNAME	1/12/04	1/20/04	1/21/04	1/22/04	1/23/04		
DATE							





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I  
ONE CONGRESS STREET SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

Memorandum

Date:

From: Tom Olivier, Senior Enforcement Counsel  
Marianne Milette, Environmental Engineer

To: Robert Varney, Regional Administrator

Subj: Subpoena to General Color for PCB Pigment Documents

The attached subpoena to General Color requires the company to produce documents pertaining to PCB-contaminated red pigments. The documents are needed to evaluate the risks of PCB exposure presented by various products in commerce that were manufactured using these red pigments.

In September, 2003, Clariant Corp. disclosed to EPA that it had manufactured and distributed in commerce red pigments containing over 50 ppm of inadvertently-generated PCBs. Clariant has been working with EPA to ascertain the use and distribution of these red pigments in products manufactured or processed by Clariant's various customers. General Color is one of Clariant's customers that received PCB-contaminated pigments, and presumably either used such pigments in its products or distributed the pigments to other customers..

General Color has declined to provide the requested information voluntarily to Clariant. Accordingly we recommend that it be required to produce the requested documents under the subpoena authority provided by Section 11 of TSCA.

CONCURRENCES							
SYMBOL	SEP	OE	DES				
SURNAME	SEP	OE	DES	Varney			
DATE	1/21/07	1/21/07	1/21/04	1/23			